

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 26, 1891.—Ordered to be printed.

Mr. TURPIE, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 6407.]

The Committee on Pensions, to whom was referred the bill (H. R. 6407) granting a pension to Ruth S. Byron, have examined the same and report:

From the facts stated in House report, which is approved and hereto attached and made a part of this report, we believe this to be a meritorious bill, and do recommend that it be passed.

[House Report No. 2436, Fifty-first Congress, first session.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6407) for restoration of pension to Mrs. Ruth Stewart Byron, have had the same under consideration and beg leave to submit the following report:

The petitioner was pensioned as widow of Capt. Charles Byron. She was married March 28, 1885, to Sylvanus W. Payne, himself a pensioner, and thereby lost her pension. She has since been divorced and restored to her former name, as appears from a transcript of the decree among the papers. The evidence is not in the record; but the court found the facts alleged in her petition to be true. She was induced to marry, forfeit her pension, and go from her home in Ohio to California by a series of false and fraudulent representations that would vitiate any other than a marriage contract. The details of the cruelty, deception, and fraud practiced upon this estimable lady to induce her to leave her home in Ohio and live in California, and pay her own expenses to and fro and while there, are omitted for obvious reasons.

The member of Congress from the district in which she resides has known her for many years and is familiar with the facts of the case, and in an oral statement to the committee has satisfied each member of the merits of the claim for relief by restoration. The decree contains these words:

"And the court further finds, upon the evidence adduced, that the defendant has been guilty of gross neglect of duty toward the petitioner for 3 years next before the filing of the petition herein in failing to support the plaintiff with any of the necessities of life, as is stated in said petition, and that by reason thereof she is entitled to a divorce as prayed for, and that the defendant has been guilty of fraud toward the plaintiff in procuring and inducing her to marry him, in all respects as is alleged in the petition, and that said petition is in all respects true."

Your committee are of the opinion that the marriage of Mrs. Byron should be regarded as void from its inception, and that her pension should be restored to her from March 28, 1885, and they accordingly recommend that this bill do pass; amended, however, by striking out all after the word "Byron" in line 6, and insert therein instead the words "to take effect from the passage of this act."